



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

January 31, 2024

The Honorable Loretta A. Preska  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouses  
500 Pearl St.  
New York, NY 10007-1312

Re: *United States v. Marquise Austin et al.*, 22 Cr. 435 (LAP)

Dear Judge Preska:

On October 10, 2023, the Court set a motions schedule in this matter, ordering a defense motions deadline of February 15, 2023, a Government opposition deadline of February 2, 2024, and a defense reply deadline of February 9, 2024; the Court also scheduled a combined proceeding for oral argument on motions and a status conference for all defendants on February 15, 2024. *See* Oct. 10, 2023 ECF Entry.

① The Government submits this letter to respectfully request a one-week extension of the Government's opposition submission deadline and the defense's reply deadline, to February 9, 2024 and February 16, 2024, respectively. Defense counsel for Marquise Austin, the only defendant who has filed motions, has confirmed that she consents to this request.

In addition, in the event the Court grants the requested extensions, the Government requests that the combined oral argument and status conference scheduled for February 15, 2024 be adjourned until on or after March 1, 2024.<sup>1</sup> Defense counsel for all affected defendants have confirmed that they consent to this adjournment, with continued exclusion of time.<sup>2</sup> The ends of justice served by the adjournment and exclusion outweigh the interest of the public and the defendants in a speedy trial because they will accord the arguing parties time to adequately review the submissions, in addition to facilitating continued case consolidation and the defense's continued review of the voluminous discovery.

② *The argument/status conference date is adjourned to March 13 at 10:00 1/31/24 So ordered Loretta A. Preska*

<sup>1</sup> If the Court were to schedule the proceeding for after March 1, 2024, the Government respectfully requests a date after March 7, 2024 because of out-of-country work travel through that date.

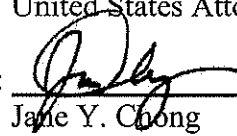
<sup>2</sup> The Government and defense counsel for recently indicted defendant Aboubacar Coulibaly understand that Mr. Coulibaly is not scheduled to join the status conference, and that the parties are instead to submit a joint letter to the Court by February 19, 2024.

The Government makes this request in light of a trial now set to begin in another matter on February 20, 2024 and a Second Circuit argument to take place on February 28, 2024, both of which were scheduled after the Court issued its scheduling order in this case.

Respectfully submitted,

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